



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

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May 17, 2007

Mr. Robert P. Trevino  
Department of Workforce Education  
Arkansas Rehabilitation Services  
1616 Brookwood Drive  
Little Rock, AR 72202

Re: Advisory Opinion # 483-07-05

Dear Mr. Trevino,

This letter is in response to your request for an advisory opinion in accordance with A.C.A. §19-11-715(b). Your request for an advisory opinion is based on the following facts:

1. Dr. El-Khiami is currently a state employee at the University of Arkansas.
2. The University of Arkansas has a contract with Arkansas Rehabilitation Services.
3. As an employee of the University of Arkansas, Dr. El-Khiami has provided services to Arkansas Rehabilitation Services pursuant to its contract with the University of Arkansas.
4. Dr. El-Khiami is eligible to retire in June, 2007.
5. Arkansas Rehabilitation Services is exploring the possibility of contracting directly with Dr. El-Khiami to provide services; and, is requesting an opinion as to whether Dr. El-Khiami may be exempted from the provision of A.C.A. §19-11-709 (Restrictions on employment of present and former employees).

I note initially that your letter refers to A.C.A. §19-11-709(b) (2). This particular code provision deals with a one year representation restriction regarding matters for which a former employee was officially responsible. As this code section is not relevant to the facts presented, I assume that you meant to refer to A.C.A. §19-11-709(d) (1) which refers to "selling to state after termination of employment" and render this opinion accordingly.

A.C.A. §19-11-709(d)(1) states that it is a breach of ethical standards for any former employee to sell commodities or services, including technical or professional consultant services, to the state for one year following the date employment ceased.

Pursuant to this provision of the law, Dr. El-Khiami may not contract with Arkansas Rehabilitation Services to provide any service(s) for a period of one year from the date her employment with the University of Arkansas ends.

This advisory opinion is issued in accordance with A.C.A. § 19-11-715(b) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and Executive Order 98-04.

Sincerely,

Richard. A. Weiss  
Director

Cc:  
Joe Giddis, Administrator  
Office of State Procurement